

is hereby authorized and requested to charge the required fee to our Deposit Account No. 04-0100.

REMARKS

Claims 13-26 are pending in this application. The Office Action requires a restriction of the pending claims to one of the following groups:

- I. Claims 13-19, drawn to isolated eIF-4AIII proteins, proteolytic fragments and fusion proteins, classified in class 530, subclass 350.
- II. Claims 20-22, drawn to monoclonal antibodies, classified in class 530, subclass 587.1.
- III. Claims 23-26, drawn to methods of identifying potential drugs, classified in class 435, subclass 70.

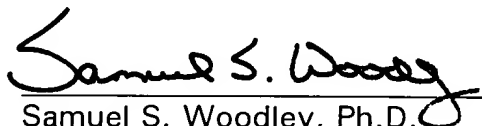
In order to be fully responsive to the Requirement for Restriction, Applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 13-19) drawn to isolated eIF-4AIII proteins, proteolytic fragments and fusion proteins. However, Applicants respectfully traverse the Requirement for Restriction and reserve the right to petition therefrom under 37 C.F.R. § 1.144.

In particular, Applicants respectfully request reconsideration of the Restriction Requirement or, in the alternative, modification of the Restriction Requirement to allow prosecution of more than one of the above claim groups. Under

Patent Office examining procedures, "if the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits, even though it includes claims to distinct or independent inventions." See, M.P.E.P. § 803 (emphasis added). The groups of claims designated by the Examiner do not, however, define products and methods for using such products with biological properties which are distinct or which warrant separate examination and searches.

For the above reasons, withdrawal of the Requirement for Restriction and examination of all of the pending claims and sequences are respectfully requested.

Respectfully submitted,



Samuel S. Woodley, Ph.D.

Reg. No. 43,287

Agent for Applicants

Dated: April 17, 2002

DARBY & DARBY, P.C.
Post Office Box 5257
New York, NY 10150-5257
Phone (212) 527-7700